

Notice of Allowability**Application No.**

10/716,431

Applicant(s)

SASAKI, MAKOTO

Examiner

MANAV SETH

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/22/2008.
2. ☒ The allowed claim(s) is/are 1, 4-11, 14-20 and 23-24 (renumbered as 1-18).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/7/2008.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to the Amendments and Arguments

1. Applicant's amendment filed on 05/07/2008 and arguments filed on 07/22/2008 have been considered and entered in full.
2. Applicant's arguments with respect to respective amended claims have been considered and are persuasive; therefore all the rejections on the respective claims have been withdrawn.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney/agent of record, Mr. Jesse Sukman, Registration No. 54,477, on 11/07/2008, at 3:15 p.m., Examiner's amendment:

In The Claims

(a). The following changes to the claims have been approved by the examiner and agreed upon by applicant:

(i) Replace the subject matter of claim 1 as presented in the amendment filed on 05/07/2008 with:

Examiner's amendment: "A color data accuracy calculation method comprising:

using a computer, performing the steps of:

extracting from a plurality of color signal pairs each including an input color signal in an input color space and a counterpart output color signal in an output color space, a target color signal pair including a target input color signal and a counterpart target output color signal in the output color space, which is to be calculated an accuracy thereof;

extracting from the plurality of color signal pairs, a plurality of output vicinity color signals corresponding to a plurality of input vicinity color signals, which are located in the vicinity of the target input color signal in the input color space; and

calculating a color signal pair accuracy of the target color signal pair on the basis of a relation between the target output color signal and the plurality of output vicinity color signals,

wherein the calculating is calculating the color signal pair accuracy using a color signal statistical distance, which is a statistical distance between the target output color signal and the plurality of output vicinity color signals, and

wherein the calculating is calculating the color signal pair accuracy using a monotone decreasing and smooth function of the color signal statistical distance".

(ii) Replace the subject matter of claim 9 as presented in the amendment filed on 05/07/2008 with:

Examiner's amendment: "A color process method comprising:

using a computer, performing the steps of:

extracting from a plurality of real data pairs each including:

an input color signal in an input color space to one of a color image input apparatus and a color image output apparatus; and

a counterpart output color signal in an output color space, a target color signal pair including a target input color signal and a counterpart target output color signal in the output color space, which is to be calculated an accuracy thereof;

extracting from the plurality of real data pairs, a plurality of output vicinity color signals corresponding to a plurality of input vicinity color signals, which are located in the vicinity of the target input color signal in the input color space;

calculating a color signal pair accuracy of the target color signal pair on the basis of a relation between the target output color signal and the plurality of output vicinity color signals;

repeating the extracting the target color signal pair, the extracting the output vicinity color signals, and the calculating the color signal pair accuracy while changing the target color signal pair to calculate accuracies of the real data pairs; and

calculating a prediction output color signal corresponding to a desired input color signal based on the real data pairs and the accuracies of the real data pairs,

wherein the calculating is calculating the color signal pair accuracy using a color signal statistical distance, which is a statistical distance between the target output color signal and the plurality of output vicinity color signals, and

wherein the calculating is calculating the color signal pair accuracy using a monotone decreasing and smooth function of the color signal statistical distance”.

Allowable Subject Matter

Reasons of Allowance:

4. Claims 1, 4-11, 14-20 and 23-24 (renumbered as 1-18) are allowed.

The following is an examiner's statement of reasons of allowance:

The reasons of allowance for claims 1, 9, 11, 19, 23 and 24 should be evident from the applicant's arguments as filed in the amendment filed on 07/22/2008. Therefore, claims 1, 9, 11, 19, 23 and 24 are allowed. All other claims depending on claims 1, 9, 11, 19, 23 and 24 are allowable at least by dependency on claims 1, 9, 11, 19, 23 and 24.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manav Seth whose telephone number is (571) 272-7456. The examiner can normally be reached on Monday to Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Bella, can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Manav Seth/
Examiner, Art Unit 2624
November 7, 2008

/Matthew C Bella/
Supervisory Patent Examiner, Art Unit
2624